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CITY OF ORANGE
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Superior Court of
New Jersey

SUMMONS

Attorney(s) Eldridge Hawkins LLC
Office Address 55 Washington Street
Town, State, Zip Code East Orange, NJ 07017
Telephone Number 973-676-6270
Attorney(s) for Plaintiff Yonley Sandy

Essex COUNTY
Law DIVISION
Docket No: ESX-L-2274-17

Yonley Sandy
Plaintiff(s)

vs.
Township of Orange, et al.

Defendant(s)

CIVIL ACTION
SUMMONS

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf

Michelle M. Smith, Esq.
Clerk of the Superior Court

DATED: 4-10-2017

Name of Defendant to Be Served: Township of Orange
Address of Defendant to Be Served: 29 N. Day Street, #304
Orange, NJ 07050

ESSEX COUNTY - CIVIL DIVISION
SUPERIOR COURT OF NJ
465 MARTIN LUTHER KING JR BLVD
NEWARK NJ 07102

COURT TELEPHONE NO. (973) 776-9300
COURT HOURS 8:30 AM - 4:30 PM

TRACK ASSIGNMENT NOTICE

DATE: MARCH 30, 2017
RE: SANDY VS TOWNSHIP OF ORANGE
DOCKET: ESX L -002274 17

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 3.

DISCOVERY IS 450 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON BRIDGET A. STECHER

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 003
AT: (973) 776-9300.

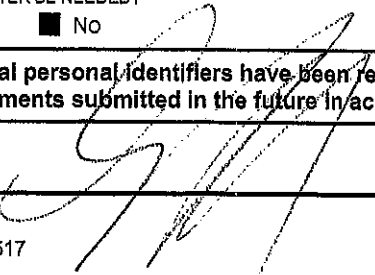
IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

ATTENTION:

ATT: ELDRIDGE J. HAWKINS
ELDRIDGE HAWKINS
55 WASHINGTON STREET
SUITE 309
EAST ORANGE NJ 07017

JUGBONE

Appendix XII-B1

	CIVIL CASE INFORMATION STATEMENT (CIS)		FOR USE BY CLERK'S OFFICE ONLY		
	Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule</i> 4:5-1 Pleading will be rejected for filing, under <i>Rule</i> 1:5-6(c), if information above the black bar is not completed or attorney's signature is not affixed		PAYMENT TYPE: ☐ CK ☐ CG ☐ CA		
			CHG/CK NO.		
			AMOUNT:		
		OVERPAYMENT:		BATCH NUMBER:	
ATTORNEY / PRO SE NAME ELDRIDGE HAWKINS, ESQ.		TELEPHONE NUMBER (973) 676-5070		COUNTY OF VENUE Essex ☒	
FIRM NAME (if applicable) ELDRIDGE HAWKINS LLC				DOCKET NUMBER (when available)	
OFFICE ADDRESS 55 WASHINGTON STREET, SUITE 309 EAST ORANGE, NEW JERSEY 07017				DOCUMENT TYPE COMPLAINT & JURY DEMAND	
				JURY DEMAND ☒ Yes ☐ No	
NAME OF PARTY (e.g., John Doe, Plaintiff) YANLEY SANDY		CAPTION YANLEY SANDY V. TOWNSHIP OF ORANGE, ET ALS.			
CASE TYPE NUMBER (See reverse side for listing) 005	HURRICANE SANDY RELATED? ☐ YES ☒ NO	IS THIS A PROFESSIONAL MALPRACTICE CASE? ☐ YES ☒ NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A -27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.			
RELATED CASES PENDING? ☐ Yes ☒ No		IF YES, LIST DOCKET NUMBERS			
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? ☐ Yes ☒ No		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) ☐ NONE ☒ UNKNOWN			
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.					
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION					
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? ☐ Yes ☐ No		IF YES, IS THAT RELATIONSHIP: ☐ EMPLOYER/EMPLOYEE ☐ FRIEND/NEIGHBOR ☐ OTHER (explain) ☐ FAMILIAL ☐ BUSINESS			
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? ☐ Yes ☒ No					
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION MAR 28 2017					
 DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? ☐ Yes ☒ No		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION			
WILL AN INTERPRETER BE NEEDED? ☐ Yes ☒ No		IF YES, FOR WHAT LANGUAGE?			
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with <i>Rule</i> 1:38-7(b).					
ATTORNEY SIGNATURE:  3/29/17					



CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under Rule 4:5-1

CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)

Track I - 150 days' discovery

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (including declaratory judgment actions)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM (coverage issues only)
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (summary action)
- 999 OTHER (briefly describe nature of action)

Track II - 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 603N AUTO NEGLIGENCE - PERSONAL INJURY (non-verbal threshold)
- 603Y AUTO NEGLIGENCE - PERSONAL INJURY (verbal threshold)
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE - PROPERTY DAMAGE
- 621 UM or UIM CLAIM (includes bodily injury)
- 699 TORT - OTHER

Track III - 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

Track IV - Active Case Management by Individual Judge / 450 days' discovery

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

Multicounty Litigation (Track IV)

- | | |
|--|---|
| 271 ACCUTANE/ISOTRETINOLIN | 292 PELVIC MESH/BARD |
| 274 RISPERDAL/SEROQUEL/ZYPREXA | 293 DEPUY ASR HIP IMPLANT LITIGATION |
| 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL | 295 ALLODERM REGENERATIVE TISSUE MATRIX |
| 282 FOSAMAX | 296 STRYKER REJUVENATE/ABG II MODULAR HIP STEM COMPONENTS |
| 285 STRYKER TRIDENT HIP IMPLANTS | 297 MIRENA CONTRACEPTIVE DEVICE |
| 286 LEVAQUIN | 299 OLMESARTAN MEDOXOMIL MEDICATIONS/BENICAR |
| 287 YAZ/YASMIN/OCELLA | 300 TALC-BASED BODY POWDERS |
| 289 REGLAN | 601 ASBESTOS |
| 290 POMPTON LAKES ENVIRONMENTAL LITIGATION | 623 PROPECIA |
| 291 PELVIC MESH/GYNECARE | |

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check off each applicable category ☐ Putative Class Action ☐ Title 59

BATCH #361 FILED MAR 28 2017
CHECK/RECEIPT # 785 AMT 250-

ELDRIDGE HAWKINS LLC
Attorney At Law

214731967

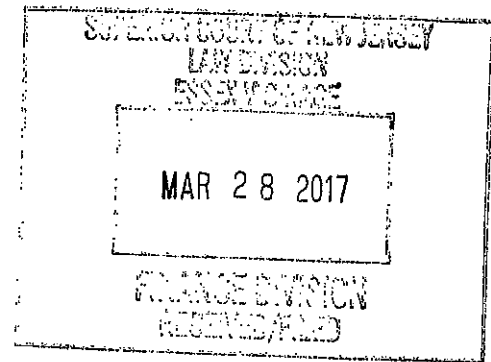
55 Washington Street, Suite 309

East Orange, New Jersey 07017

Tel #: (973) 676-5070

Fax #: (973) 676-7356

Attorney for: Plaintiff, Yanley Sandy



Yanley Sandy

Plaintiff,

v.

Township of Orange, L. Worthen-
Barnes, Imbert Walker, John Does
(1-10), (fictitious Defendants)

Defendants

SUPERIOR COURT OF NJ

LAW DIVISION- ESSEX

DOCKET NO. ESX-L-

2274-17

Civil Action

COMPLAINT AND JURY
DEMAND WITH PRODUCTION,
DEMAND PURSUANT TO R.
4:18-2

PLAINTIFF, YANLEY SANDY, residing in the County of Essex,
New Jersey, by way of Complaint against the Defendants, herein
states:

JURISDICTION

This action is brought pursuant to N.J.S.A. 10: 6-2 (c), et
als. N.J.S.A. 10:5-12, f,; New Jersey Constitution , Article
I, Paragraphs 1, 5, 7,9.

PARTIES

1. Plaintiff , a Black male, Yanley Sandy is a resident of the State of New Jersey, residing in the County of Essex.
2. The Defendant Township of Orange, is and was at all times mentioned herein a legislatively authorized municipality of the State of New Jersey.
3. The Defendant, L. Worthen-Barnes was at all times mentioned herein a Police Officer employed by and acting as agent of the Defendant, Township of Orange. She is joined officially and individually.
4. The Defendant, Sgt. Imbert Walker, was the supervising officer of the Defendant " Orange" who approved Defendant Worthen-Barnes' actions. He is joined officially and individually.
5. The Defendant, Worthen-Barnes, is and was at all times mentioned herein, employed by, and is and was, an officer of the Defendant, "Orange", and acted within the scope and course of the said employment, but at times exceeded her authority in an ultra vires fashion. He is joined individually and officially.
6. The Defendants Police Officers, John Doe (s) (1-10), fictitious names whose identities are not known to the Plaintiff, are and were employed by, and were at all times

mentioned herein are Officers or employee-agents Defendant Orange , and were acting within the scope and course of the said employment when they authorized and aided and abetted the actions for the individually named defendants. Defendants' actions were committed which deprived plaintiff of his constitutional and statutory rights. All defendants acquiesced in the actions of the other.

7. All individually named Defendants were acting under color of State law. All said Defendants are being sued both in their individual and/or respondeat superior official capacities. All at times exceeded their authorities.

8. At all times relevant hereto, (except as below, specifically stated) and in their actions described herein, the Defendants were acting: (1) under color of statutes, ordinances, regulations, policies, customs and practices of the State of New Jersey; (2) pursuant to their authority as employees, servants or agents of the State of New Jersey; (3) as a place of public accommodation; and (4) within the scope of their employment and incidental to their otherwise lawful duties and functions as employees, servants and/or agents. Defendants, however exceeded their authority when, with a deliberate indifference to the violation of the rights of plaintiff and other harm which would probably be caused, they engaged in excessive and intentionally and maliciously

made untrue statements to support their unlawful arrest of plaintiff as is the accepted custom and practice of the Orange Police Department.

9. Defendants are liable for their actions as prescribed by N.J.S.A. 9: 2-2a; N.J.S.A. 59: 301a; N.J.S.A. 59: 3-3; N.J.S.A. 59:3-14 (a) (b).

FACTS

1. Plaintiff was born a Black skinned in color male, a/k/a Grenadian-American by national origin.
2. On April 12, 2015 was stopped, charged and arrested by Defendant Worthen-Barnes, hereinafter defendant, "WB".
3. Individual defendants Worthen-Barnes and John Does 1 and 2 pulled Plaintiff out of the vehicle, handcuffed him, searched him and put Plaintiff into a Police car and taken to Police headquarters.
4. This all took place without telling Plaintiff why other than Officer WB telling him she pulled him over because he was a foreigner. This amounted to an unconstitutional stop , search and restriction of his constitutional right to freedom of movement.
5. Defendants processed him like he was a criminal. He was mugshoted, finger printed in circumstances in which the law does not allow for said actions and defendants had his vehicle towed.

6. Plaintiff was forced to hire a lawyer to defend himself and was required to make multiple appearances in Court.
7. On July 14, 2015, Judge Clemente dismissed all charges against Defendant Yanley Sandy in Orange for lack of prosecution.
8. Plaintiff filed his July 15, 2015 Notice of Claim (attached upon which Plaintiff also relies and incorporates fully herein.
9. Defendants "intentionally" and " knowingly and in bad faith arrested and charged false charges against plaintiff as demonstrated by the documents attached.

FIRST COUNT

FAILURE TO PROPERLY SUPERVISE OR TRAIN

1. The Plaintiff repeats and re-alleges all of the allegations of the hereinabove paragraphs including those contained in the "Parties" and " Facts" sections of the within Complaint, and incorporates the same herein, as if the same were set forth at length.
2. On April 12, 2015, the Plaintiff was in the custody of the individual named Defendants and Officer John Doe(s).
3. While the Plaintiff was in the said custody of the Defendants, the Plaintiff was handcuffed and processed as a criminal , based upon the false allegations of Defendant Worthen-Barnes.

4. The Defendant Township of Orange and all individually named defendants are joined individually and officially and are jointly and severally liable through the actions of their administrators, agents, employees, servants and/or representatives:

A. For their failure to properly hire, train, discipline, supervise, manage and/or supervise their staff, and/or employees:

B. For their failure to properly carry out their caretaking, disciplinary and supervisory duties to ensure the safety and protection of individuals in their custody, and to ensure and safeguard the civil rights of said individuals;

C. For their agreed upon and intentional purposeful and bad faith unconstitutional attempts to conceal the inappropriate behavior of their staff and co-workers to the detriment of the Plaintiff; and

D. For their deviation from the acceptable standards of care and Attorney General Guidelines.

5. As a direct and proximate result of the aforementioned purposeful, intentional and/or negligent and/or careless and/or reckless conduct done in bad faith and with malice per se intent, as well as the aforementioned deviations from the accepted standard of conduct by each of the Defendants mentioned heretofore, or any one of them, the Plaintiff,

Yanley Sandy, was caused to suffer severe emotional distress, anguish, fear, intimidation, loss of enjoyment of life and other damages.

6. As a direct and proximate result of the aforesaid bad faith, intentional and purposeful malice, negligence, carelessness, recklessness and deviations from the accepted standards of care by each of the Defendants, or any one of them, the Plaintiff was deprived his right to be protected against violations of his civil and Constitutional rights, to be free from the intentional infliction of emotional distress and to receive due process and equal protection under the law.

7. The defendants actions violated N.J.S.A. 2C: 12-1; 2C: 16-1; 2C: 30-2; 2C: 30-5, a, b, c, d; 2C: 33-4; 2C:30-7. Plaintiff incorporates the wording of said statutory sections herein as if fully printed herein and as facts committed by defendants in violation of the stated laws.

8. Defendants Orange ___ to properly supervise and to trained Defendants Worthen-Barnes and Sgt. Imbert Walker in their actions as stated herein.

9. Plaintiff filed the Title 59 Tort claim notice. (Attached)

WHEREFORE, Plaintiff, Romero T. Carolina demands judgment for monetary damages against all defendants individually and jointly, both compensatory and punitive damages, both past and future ,

attorney's fees, costs and such other relief as the Court deems equitable and just.

SECOND COUNT

RECKLESS INTENTIONAL INFLICTION OF SEVERE EMOTIONAL DISTRESS

1. The Plaintiff repeats and re-alleges all of the allegations contained in the above paragraphs of the within Complaint, and incorporates the same herein, as if the same were set forth at length.
2. The conduct of all of the Defendants individually, jointly, together and with John Doe(s), as described in the First Count, as carried out upon the person of the Plaintiff, Yanley Sandy, constitutes an offense against Plaintiff as listed therein which contributed to his being in a situation as never before which frightened him, caused him to worry, to engage in needless suffering , embarrassment and agony.
3. As a direct and proximate result of the conduct of the named Defendants who were aided and abetted by John Doe9s 0,
4. As a direct and proximate result of the aforesaid bad faith and malicious actions, negligence, carelessness and recklessness, the deviations from the accepted standards of care by each of the Defendants, or any one of them, committed individually, jointly and by agreement, the Plaintiff was deprived of his right to be protected against violations of

his civil and Constitutional rights, to be free from intentional and wrongful stopping of his freedom of movement, wrongfulness, arrest and prosecution, reckless, wanton, purposeful, intentional infliction of severe emotional distress with reckless disregard to the severe harm, which would probably be caused by the actions of defendants done either recklessly or intentionally and purposefully intended to inflict severe emotional distress on plaintiff.

5. As a consequence of defendants' actions, plaintiff suffered and will continue to suffer harm to his reputation and severe emotional distress.
6. Plaintiff's counsel filed the notice of claim in accordance with Title 59.

WHEREFORE, plaintiff, Yanley Sandy demands judgment for monetary damaged in his favor and against all Defendants , individually, jointly and severally for monetary damages , both compensatory and punitive, both past and future with costs, interest and attorney's fees and such other relief as the Court deems equitable and just.

THIRD COUNT

NEGLIGENT, RECKLESS , WANTON DISREGARD FOR PLAINTIFF'S
CONSTITUTIONAL RIGHTS AND VIOLATIONS OF N.J.S.A. 10: 6-2 (

c)

1. The Plaintiff repeats and re-alleges all of the allegations contained in the "Parties" and "Facts" sections and the First and Second Counts of the within Complaint, and incorporates the same herein, as if the same were set forth at length.
2. At all times relevant hereto, the aforesaid individual Defendants were employed by the Defendant, Orange and were therefore entrusted with, and responsible for the safety of the individuals in their custody and under their control, particularly, the Plaintiff.
3. At all times relevant hereto, the Defendants were responsible for the safety of the individuals under their jurisdiction, particularly, Plaintiff, Yanley Sandy,
4. At all times relevant hereto, Defendants, , jointly, individually and severally were delegated and entrusted with, and were responsible for the safety of the individuals under their jurisdiction, particularly, Plaintiff, Yanley Sandy.
5. At all times relevant hereto, all the through their administrators, agents, representatives, servants and/or employees, had a duty and obligation to ensure that individuals in their custody and under their control, particularly, the Plaintiff, Yanley Sandy, would be safe

and secure in his person and protected against violations of his Civil and Constitutional rights, the said duty and obligation having been negligently, carelessly, recklessly and/or intentionally breached, in that they:

- A. Failed to properly evaluate, assess and control their staff, agents and/or employees which duty they had as supervisors.
 - B. Failed in their duty to plaintiff to take proper, appropriate and/or precautionary and/or necessary measures to ensure the safety of the Plaintiff.
 - C. Failed in their duty to plaintiff to properly monitor their staff, agents and/or employees.
 - D. Otherwise deviated from the acceptable standard of care.
 - E. Upon information and belief, all defendants aided and abetted each other to engage in the custom and practice of the State bringing false charges against a party who has been wrongfully stopped, detained, arrested, searched.
6. At all times relevant hereto, the Defendant, Orange, was the employer of and/or was the ostensible principal of the individual named Defendants.
7. As a direct and proximate result of the conduct of the Defendants. Plaintiff was cause to sustain severe as

emotional anguish and torment be prevented from engaging in his usual pursuits and activities, with the arrest record accruing him of crimes has and will in the future be caused to suffer a loss of enjoyment of life.

8. Defendant which was violative of the various criminal Statutes stated herein, Title 59, N.J.S.A. 10: 5-1 et seq (public accommodation) and New Jersey's Constitution caused Plaintiff to be deprived of his substantive due process and equal protection rights resulting in violation of New Jersey's Civil Rights Act (N.J.S.A. 10: 6-2 (c)).

9a. Plaintiff has not been advised by defendant State's agents of the result of any investigation of said complaint.

9. As a direct and proximate result of the conduct of the acting by agreement in an aiding and abetting and conspiratorial fashion, all Defendants and each of them, caused the Plaintiff, Yanley Sandy, to be deprived of his right to be protected against violations of his Civil and Constitutional rights, to be free from intentional infliction of emotional distress, and to receive equal protection under the law in violation of Article I, Paragraphs 1, 5, 7 and New Jersey Constitution and N.J.S.A. 10: 6-2 (c)).

WHEREFORE, Plaintiff, Yanley Sandy demands judgment for monetary damage in his favor and against all Defendants,

compensatory and punitive , past and future, individually severally and jointly, attorney fees, costs and such other relief as the Court deems equitable and just.

FOURTH COUNT

UNLAWFUL STOP, SEARCH AND ARREST; NEW JERSEY CONSTITUTION, ARTICLE I, PARAGRAPHS 1, 5, 7

1. The Plaintiff repeats and re-alleges all of the allegations contained in all of the paragraphs previously stated in the within Complaint, and incorporates the same herein as if the same were set forth at length.
2. Plaintiff repeats and reavers all of the previous and hereafter paragraphs as if fully restated herein.
3. Defendants charged Plaintiff with various offenses, as is the custom and practice of the Orange Police Department in attempts to justify their unjustified and unconstitutional stop and arrest of Plaintiff and unconstitutional search.

4. The Orange Police Department has not disciplined defendants when they needed to be disciplined, both before and after these circumstances with Plaintiff Sandy.

5. The Defendant City of Orange Police Department brought no criminal charges against any of the Officers who participated falsely in bringing charges against plaintiff which deprived him of his constitutional rights.

6. The Orange City Police Department has not brought any charges against the individual defendants regarding their interactions with plaintiff.

7. As a consequence of the above, plaintiff was harmed, damaged and caused extreme emotional and physical injury and distress by said defendants acting individually, jointly, by agreement, in an aiding and abetting fashion in conspiratorial, recklessly, intentionally, purposely in bad faith and malicious fashion to cause plaintiff harm and deprive him of his civil and constitutional rights.

8. Plaintiff filed a timely notice of claim.

9. Individual defendant Worthen Barnes, gave written police reports which intentionally, purposefully, maliciously, fraudulently and in bad faith left out the salient factors that :

- a) she stopped Plaintiff because she heard his "foreign accent";
- b) had plaintiff get out of the vehicle without telling him he was under arrest for anything ; c) strip searched him on the

public street by dropping his pants; d) had seen no illegal activity prior to a, b, and c above.

10. After Defendants realized they had falsely stopped and arrested Plaintiff, they intentionally and knowingly made up false reasons which were se defamatory and cast him in a false light.

11. Upon information and belief, either no Internal Affairs investigation was made of the circumstances and/or no disciplinary charges were brought against the Police Officers involved.

12. Upon information and belief, if an Internal Affairs investigation was made and disciplinary charges were brought, no criminal charges were brought against any of defendants or their agents for false reports. Defendants did not report to the Plaintiff, victim the results of that investigation.

13. The individual Defendants individually and jointly agreed to charge him with the various charges to justify his arrest and search.

14. Also, upon information and belief, it is common practice and custom in an unlawful stop and search for the Orange Police to falsely charge their victim to justify their police actions done under color of law.

15. Defendants actions were violative of the Attorney General's Guidelines on :

a) Stop and frisk;

b) Having reasonable or probable cause stop and search;

c) Arrest for anything;

16. Defendant Orange did not properly supervise or train these individual defendants and allowed them to continue in their unconstitutional and unlawful ways without restraint.

17. Defendants' actions caused plaintiff to be per se defamed , slandered, libeled, wrongfully charged with criminal offenses , arrested, cast in a false light and otherwise harmed.

WHEREFORE, Plaintiff requests judgment for monetary damages, both compensatory and punitive, both past and future with costs , interest and attorney's fees.

FIFTH COUNT

FALSE ARREST AND FALSE CHARGES AND IMPRISONMENT

1. Plaintiff repeats all prior allegations and paragraphs as if fully restated herein.

2. Defendant, WB on April 12, 2015, signed a complaint against plaintiff, Yanley Sandy, charging him, inter alia with: a) shouting out at the top of his voice for no legitimate reasons, knowing same to be untrue and without reasonable or probable cause.

b) Failing to follow uniformed Officers' instructions , all the while alleging in his reports the brief for his action that he was hard of hearing.

2. The report of WB reported he was advised he was "under arrest" for being "un cooperative and disorderly". Same is not an offense under New Jersey law which allows for one to be arrested.

3. Defendants affidavit of probable cause intentionally, recklessly and knowingly had known untruths , purposely stated therein. Same constituted defamation per se, as plaintiff's criminal accusations have been placed upon his record wrongfully and the allegations were untrue, known to be untrue, but purposely stated in intentional , wanton and reckless disregard for the truth and harm same caused and probably would cause to plaintiff.

4. On April 12, 2015, the following statements made by Defendant Worthen-Barnes, inter alia, therein were blatantly false, known to be false, but intentionally stated to cast plaintiff in a false light to justify defendants' unlawful actions.

- a) Plaintiff engaged in conduct designed to knowingly and purposely cause public inconvenience and alarm;
- b) Plaintiff intentionally and purposely failed to follow informed Officers' instructions ; and
- c) Charged plaintiff with careless driving, disregard of Officers' instructions , improper passing.

5. Defendants' actions and statements constituted per se malice, resulting in defamation per se to plaintiff with per se damages.

6. The Defendants did not give any evidence sufficient to prove the defendants' allegations against plaintiff to the prosecution attorney.

7. Plaintiff was required to hire attorney Hawkins to defend himself for a fee of \$600.00 per hour and \$2400.00 per each one half day Court appearance. Plaintiff had to make multiple court appearances which interfered with his life and placed him under severe emotional distress.

8. He also had to pay over \$500.00 for an excessive high bail of \$5,000.00 (when defendants could not prove any of the charges).

9. On July 14, 2015, the Court dismissed all charges against Plaintiff.

10. As a consequence of the above, plaintiff was falsely arrested, maliciously prosecuted, falsely imprisoned and deprived of his various New Jersey Constitutional rights as a consequence of which, plaintiff was harmed and damaged.

11. Defendants thusly deprived plaintiff of his civil and constitutional rights by violating several laws under color of State law.

12. Defendants violated several of the Criminal Laws of New Jersey.
13. Defendants also violated various criminal rules of Court by their above stated conduct .
14. By criminally charging the Black male , plaintiff for various tickets and disorderly offenses, defendants violated the Rules of Court, which do not allow for same, as well as well as the New Jersey Constitution , public New Jersey Constitution , Article I, Paragraphs 1, 5, 7, 8.
15. Plaintiff filed a timely notice of claim.

WHEREFORE, plaintiff requests judgment for monetary damages, both compensatory and punitive, both past and present, with costs, interest and attorney's fees.

SIXTH COUNT

NEW JERSEY CONSTITUTIONAL VIOLATIONS , PEPER V. PRINCETON, 77 N.J. (1978)

1. Plaintiff repeats all prior paragraphs as if fully restated herein.
2. Defendants' aforesaid actions committed individually, jointly, by agreement, in an aiding and abetting fashion with each other, violated plaintiff's New Jersey's

Constitutional rights under Article I, Paragraphs 2a, 5, 7, 8, 9, 10, 12, 18, 20, 22.

3. Defendants interfered with plaintiff's rights to be free and independent, to enjoy and defend life and liberty and of pursuing and obtaining safety and happiness (Article I, paragraphs 1, 5). Defendants violated plaintiff's rights as declared that government is instituted for the protection, security and of the people, Article I, Paragraph 2a).
4. Defendants deprived plaintiff of his civil rights as guaranteed by Article I, Paragraph 5 because defendant WB saw a "foreign" male and admittedly stated, she pulled him over when she realized he was a foreigner.
5. The Defendants violated plaintiff's rights to be secure in his person papers and effects against unreasonable searches and seizures , when they stopped his vehicle without reasonable or probable cause with weapons drawn, pulled him out of his vehicle, search all without first obtaining a warrant based upon true facts supporting probable cause, and in violation of his rights under New Jersey Constitution, Article I, Paragraph 7.
6. The defendants violated plaintiff's rights under New Jersey Constitution, Article I, Paragraph 8, in that defendants held him falsely to answer for the false

offenses, charged without probable or reasonable cause to do.

7. Defendants violated plaintiff's rights under New Jersey Constitution, under Article I, Paragraph 9 in that they never showed for the Court legal proceedings (trial) and had the case dismissed without allowing plaintiff to have his constitutional right to a trial.
8. Defendants violated plaintiff's rights under New Jersey Constitution , Article I, Paragraph 10, in that plaintiff (the accused) had a right to a speedy trial, to be confronted with witnesses against him which rights were deprived to plaintiff.
9. Defendants violated plaintiff's rights under New Jersey Constitution, Article I, Paragraph 12, in that defendants:
 - a) Required bail in the amount of \$5,000 which was excessive and geared to keep him incarcerated without a trial (which was never to happen). Same also cost Plaintiff \$5,000, which was a damage intentionally caused to plaintiff;
 - b) Inflicted cruel and unusual punishment against plaintiff which defendants had no legal or Constitutional rights to do as the constitution and due process procedures provide for a Judge to determine the punishment after a determination of

guilt which proceedings were denied to plaintiff as the defendants herein took it upon themselves to unlawfully arrest, prosecute, find guilty and inflict punishment on plaintiff contrary to the separation of powers mandated by New Jersey's Constitution, article III.

10. Defendants' actions violated plaintiff's rights under Article I, Paragraph 18 to freely assemble together and object to his treatment, when defendants heard him asking questions for which he was charged..
11. Defendants violated plaintiff's rights under Article I, Paragraph 20, when they seized his vehicle.
12. Defendants violated plaintiff's rights under New Jersey Constitution , Article I, Paragraph 22,in that:
 - a) They unlawfully exceeded their authority because he was a foreigner, which made plaintiff a victim of a crime.
 - b) They (the immediate part of the criminal justice system) deprived plaintiff as a victim of a crime of his right to be treated with fairness, compassion and respect.
13. Defendants deprived plaintiff of this equal protection under the law in violation of all of the above cited

provisions in that said actions were not taken against the Police who committed the offenses against plaintiff.

14. Violated plaintiff's rights to privacy under New Jersey Constitution, Article I, Paragraph 1 and cast plaintiff into a false light.

15. As a consequence of defendants' actions committed individually, jointly in an aiding and abetting conspiratorial fashion, under color of State law, at times in bad faith and ultra vires and with malicious intent per se, plaintiff has been damaged and harmed and defamed per se as he was wrongfully accused of being a criminal.

WHEREFORE, Plaintiff requests judgment against all defendants individually, jointly, conspiratorially, for monetary damages, to the past and present, both compensatory and punitive with costs, interest and attorney's fees.

SEVENTH COUNT

INFLECTION OF SEVERE EMOTIONAL DISTRESS

1. Plaintiff repeats all previous and hereafter paragraphs as if fully restated herein.

2. The individually named defendants engaged in all actions with a malicious , purposeful, bad faith, wanton, intentional, reckless and wanton disregard for the extreme distress and harm it would probably cause to plaintiff and which in fact was caused.
3. Because plaintiff was a prisoner of defendants , defendants owed a high degree of care to not cause plaintiff harm.
4. Defendants breached that duty of care, violated the New Jersey Criminal Code, in the process acted and caused plaintiff severe physical harm so severe, no reasonable Grenadian male could withstand same.
5. Plaintiff filed a timely notice of claim under the New Jersey Tort Claim Act.
6. As a consequences, defendants' actions to plaintiff was harmed, damaged and suffered severe discomfort and emotional distress, pain and humiliation.

WHEREFORE, Plaintiff requests judgment against all defendants individually, jointly, conspiratorially , for monetary damages, to the past and present, both compensatory and punitive with costs, interest and attorney's fees.

EIGHTH COUNT

VIOLATION OF N.J.S.A. 10: 5-4, 10:5-12-f
PLACES OF PUBLIC ACCOMMODATIONS

1. Plaintiff repeats all of the previously and hereafter stated paragraphs and incorporates them fully herein as if fully reavered.
2. The Defendant Orange and each one of the individual Police defendants are places of public accommodation who were required to give all of the privileges, immunities rights protections and opportunities equally to the public including plaintiff , without discrimination.
3. The Orange Police agents, each of them and all of them aided and abetted each other in depriving plaintiff of the equal privileges, rights and opportunities of the New Jersey State Police Department when defendants.
4. Stopped and arrested plaintiff because they saw and heard he was a foreigner.
5. As a consequence of all of defendants' actions, plaintiff, a Grenadian by national origin, was denied his equal protection treatment, privileges, immunities and opportunities from New Jersey's places of public accommodation which caused plaintiff further discomfort , pain and harm in violation of N.J.S.A. 10: 5-4, 10: 5-12 (f).

WHEREFORE, Plaintiff requests judgment against all defendants' individually, jointly, conspiratorially , for monetary damages, to the past and present, both compensatory and punitive with costs, interest and attorney's fees.

NINTH COUNT

MALICIOUS PROSECUTION

1. Plaintiff repeats all prior paragraphs as if fully restated herein.
2. All defendants' charges were dismissed against plaintiff upon the continued failure of Defendants to show for trial.
3. As a consequence of a successful result of having all charges, dismissed, plaintiff brings the malicious prosecution against defendants.
4. As a consequence of defendants' unlawful actions , plaintiff was damaged.

WHEREFORE, Plaintiff requests judgment for monetary damages both compensatory and punitive, both past and future with costs, interest and attorney's fees.

TENTH COUNT

VIOLATIONS OF NEW JERSEY CIVIL RIGHTS ACT, N.J.S.A. 10:6-2
(C)

1. Plaintiff repeats all of the aforementioned paragraphs as if fully restated herein and especially the cited constitutional and criminal law violations.
2. The individually named defendant's actions were all committed under color of State law in the purported exercise of their police powers.
3. Upon information and belief, the individual defendants acted jointly, by agreement to aid and abet each other in depriving plaintiff of his Constitutional rights in the custom of the Defendant Orange, as stated hereinabove and to cover up the individual Police Officers, unlawful activity to protect the municipality and Police from criminal and civil legal proceedings. Such is the custom and practice of the Township of Orange Police Department.
4. Defendants' engagement in such customs and practices not only are done to deprive plaintiff of his constitutional substantive due process rights but also to deprive the Officers' victims of the equal protection of the law.
5. These actions of defendants done by agreement and by agreement to hide and cover up the defendants' unlawful actions , amounted also to a civil conspiracy.

6. Defendants' severe actions were also coercive threats by requiring such a victim to endure an unlawful stop, search, de facto arrest, without objections and to accept whatever is done to him.
7. Defendants activity against plaintiff took away his rights by their failure to tell him he was under arrest, the reason for his being de facto arrested, the reason why they were searching him in the open street or even to tell him what law he violated.
8. Defendants individually and jointly engaged in depriving plaintiff of his equal protection of all rights and law given to the Police and non-foreigner.
9. Defendants actions of, falsely arresting, imprisoning and prosecuting plaintiff further deprived plaintiff of his constitutional and statutory right to be protected from constitutional violations under N.J.S.A. 10: 6-2 (c).
10. Defendants' actions of unlawfully seizing and searching Plaintiff violated his New Jersey Constitutional rights to be secure in his person and belongings. Defendants searched and seized his vehicle before they obtained a warrant to so search and seize same.
11. Defendants violations of all of the aforestated constitutional and statutory provisions including the

various rules of Court and Court decisions constitute violations of plaintiffs' civil rights contrary to the aforestated protections and in violation of N.J.S.A. 10:6-2 (c).

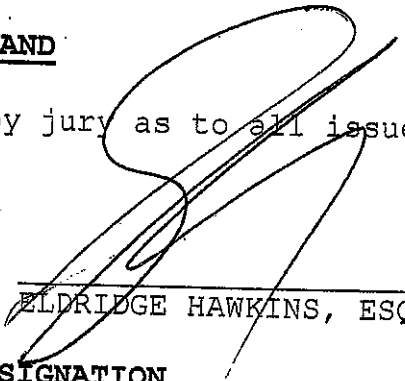
12. As a consequence of which plaintiff has been severally harmed and damaged mentally, physically and in his statutory, constitutional, et al civil rights causing him damages to his reputation and per se defamation, libel, slander and casting in a false light, as said record has plaintiff wrongfully accused of something he did not do.
13. The State actors affirmatively, intentionally, purposely and in bad faith, maliciously abused and misused their authority in a way that created a danger to the plaintiff - citizen, (wrongful stop, search, arrest and use of excessive force) and rendered plaintiff more liable to danger than had the defendants not acted at all.
14. As a consequence of each and all of defendant's actions, committed under color of State law, maliciously, individually, jointly, by agreement, intentionally and recklessly and in bad faith in a conspiratorial fashion to aid and abet each other in their wrongful plans to violate plaintiff's rights and to unlawfully cover up their unlawful and unconstitutional acts. Plaintiff was harmed and damaged.

15. Because defendants' actions violated Plaintiff's rights under the US Constitutions IV, V, IV Amendments and 42 USCA 1981, 1983, 1985, 1986, 1988 and the aforementioned New Jersey constitutional provisions and laws, defendants are liable to Plaintiff for violating his rights under N.J.S.A. 10: 6-2 (c).

JURY DEMAND

Plaintiff hereby demands a trial by jury as to all issues.

Dated: March 20, 2017
~~November 15, 2016~~

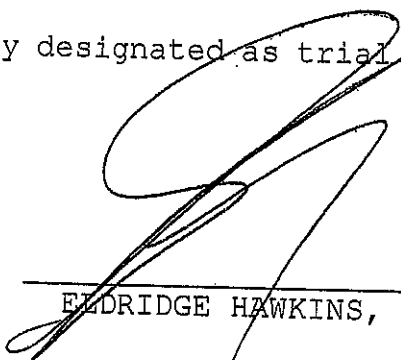


ELDRIDGE HAWKINS, ESQ.

TRIAL ATTORNEY DESIGNATION

Eldridge Hawkins, Esq. is hereby designated as trial counsel for the Plaintiff.

Dated: March 20, 2017
~~November 15, 2016~~

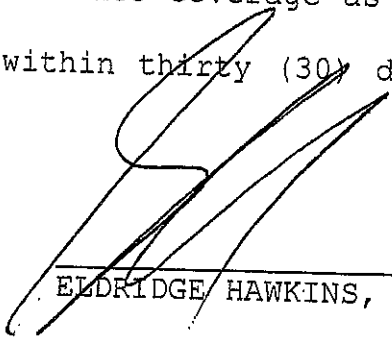


ELDRIDGE HAWKINS, ESQ.

DEMAND FOR INSURANCE COVERAGE

Plaintiff does hereby demand that Defendants disclose the full extent of all applicable insurance coverage as well as all declarations pages thereof within thirty (30) days of service of this Complaint.

Dated: March 20, 2017
~~November 15, 2016~~

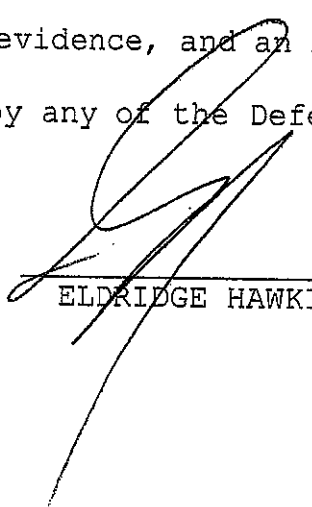


ELDRIDGE HAWKINS, ESQ.

DEMAND FOR DOCUMENTS, THINGS, AND INVENTORY

Plaintiff does hereby demand that each of the Defendants produce (1) originals or true copies of all documents, recordings, photographs, videotapes, computer information, and files with regard to the events described in this Complaint, and (2) all original evidence, and an inventory of all evidence lost or destroyed by any of the Defendants.

March 20, 2017
Dated: ~~November 15, 2016~~



ELDRIDGE HAWKINS, ESQ.